

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF NEW YORK

In Re: Louis P. Spagnola
April L. Spagnola

Debtor(s)

Case No:

CHAPTER 13 PLAN

1. (a) The future earnings of debtor are submitted to the supervision and control of the Trustee and the debtor shall pay to the Trustee the sum of **\$638.00 monthly for 60 months of the Chapter 13 plan.**
- (b) Future income tax refunds over \$1,500 shall be turned over to the control of the Trustee.

2. From the payments so received, the Trustee shall make disbursements as follows:

- (a) Full payment in deferred cash payments of all claims entitled to priority under 11 U.S.C. Section 507.

An attorney's fee of **\$3,500.00** shall be paid to David J. Gruenewald. The Trustee is to receive his lawful commission and fees.

- (b) Holders of allowed secured claims shall retain the liens securing such claims and shall be paid as follows:

The Debtors' mortgage that attaches to the residence through M&T Bank will be paid in full through the Chapter 13 Plan. The proof of claim will prevail as to the exact dollar amount of the claim; however, the Debtors reserve the right to contest the claim if he or she feels it is incorrect.

The Debtors are current with the home equity line of that attaches to the residence through Key Bank; all future payments will be paid directly by the Debtors outside of the Chapter 13 plan as per the terms and conditions of the original contract. A motion will be brought to remove any judgment liens (if any) from the real property; therefore any judgments are to be treated as an unsecured debt.

The Debtors have 2009 Dodge Caravan with a Kelley Blue Book value of \$17,605.00. The auto loan through Ally will be paid in full through the Chapter 13 Plan at the current 0% interest rate. The pre-confirmation adequate protection payment amount for this vehicle will be \$255.00 and shall not accrue or be paid until the Creditor files a proof of claim.

- (c) Subsequent to -- pro rata with dividends to secured creditors, dividends to unsecured creditors whose claims are duly allowed as follows:

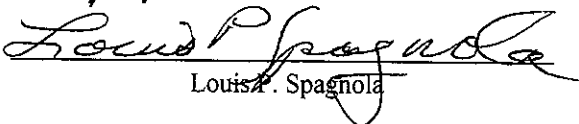
Unsecured non-priority claims will be paid at a 1% dividend through the Chapter 13 plan.

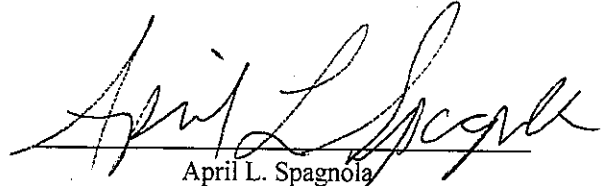
3. The following Executory contracts of the debtor are rejected:

N/A

Title to the debtor's property shall revert in the debtor on confirmation of a plan -- upon dismissal of the case after confirmation pursuant to 11 USC § 350.

Dated: 5/27/11


Louis P. Spagnola


April L. Spagnola